

Purpose

It is the intent of the Utah Department of Transportation to conform to the Drug Free Workplace Act of 1988, Federal Motor Carrier Regulations, state law and the Human Resource Rules. The Department's objective is to provide a safe and productive work environment that is free from the effects of substance and alcohol abuse. It is also the Department's objective to send a clear message that any illegal drug use and/or alcohol misuse are incompatible with UDOT service. Illegal drug use and alcohol misuse conflicts with and is contrary to state law, the Federal Drug-Free Workplace Act of 1988, and Human Resource Rules.

Policy

1. It is the policy of the Department of Transportation that the workplace will be drug and alcohol free. Employees testing positive for illegal drugs and/or alcohol shall be subject to disciplinary action with termination from state employment being the most probable outcome.
2. This policy is a term and condition of employment with the Utah Department of Transportation for all employees regardless of work site location.
3. The Utah Department of Transportation will follow and abide by the rules and guidelines established by the U.S. Federal Government concerning substance abuse, drug and alcohol testing.
4. Leaders who have received actual notice of a workplace violation of this policy must contact their Region/Group Director and the Department's Human Resource Director for direction.
5. Any employee who is convicted under a federal or state criminal statute regulating the manufacture, distribution, dispensing, possession or use of a controlled substance for a violation occurring in the workplace is to notify the Human Resource Director no later than five (5) calendar days after the conviction.
6. An employee with a drug or alcohol problem may voluntarily contact the Employee Assistance Program (EAP) Coordinator or the Department's EAP Provider (Blomquist Hale Consulting Group) for assistance.
7. If an employee is under the care of a licensed physician and taking a prescription medication or taking non-prescription medication which has a significant potential to affect or to impair safety in performance of duties, the employee must notify his/her leader before beginning the work shift. The prescription must be in the employee's name, otherwise it will be considered an illegal drug.

TRAINING

8. Permanent employees will receive training on substance abuse awareness, drug and alcohol testing in their orientation sessions. New leaders will receive additional training in their responsibility concerning substance abuse, drug and alcohol testing, in leadership training.
9. Employees in safety sensitive positions will receive additional training as required by the CFR 49 382.601. Employees will receive training materials that outline the federal requirements. Leaders of safety sensitive positions will also receive additional training as required by the CFR 49 382.601.

REHABILITATION

10. If an employee comes forward and identifies him/herself as a person with a substance abuse problem prior to any drug or alcohol testing but not after he/she has been selected to be tested, the Department will work with the employee in getting the help he/she needs. The Department will treat the employee as any other employee with an illness and will allow him/her to take the time off as necessary for counseling/rehabilitation. Upon returning to work, if the employee cannot perform the essential functions of the position at an acceptable level the employee shall be subject to corrective/disciplinary action including reassignment, demotion or dismissal. Once returned to duty, the employee thereafter must refrain from substance abuse and/or alcohol misuse. The employee is subject to "return to duty" drug and/or alcohol testing and at least six follow-up tests for drugs and/or alcohol during the following 12 months. The employee shall be subject to a minimum of three follow-up tests during the second year.

DRUG AND ALCOHOL TESTING

11. All tests will be conducted according to rules and guidelines published by the Federal Highway Administration of the U.S. Department of Transportation.
12. The Department shall test for alcohol and the following drugs:
 - Marijuana
 - Cocaine
 - Amphetamines ("speed," "uppers," "meth" etc.)
 - Opiates (heroin, morphine, etc.)
 - Phencyclidine (PCP, "angel dust")
13. The Department will participate in six (6) types of Alcohol and Controlled Substance tests:
 - Pre-employment/Pre-appointment Testing (drugs only)
 - Random Testing
 - Reasonable Suspicion Testing
 - Post-Accident Drug Testing
 - Return-to-duty Testing
 - Follow-up Testing

14. All UDOT employees are subject to Reasonable Suspicion, Post-Accident, Return-to-duty and Follow-up testing. Employees that are in positions that have been designated as "safety sensitive" will be subject to Pre-employment/Pre-appointment and Random testing.

DRUG TESTING

15. To assure that the "chain of custody" and specimen control are maintained, the contract drug collection agency shall follow standardized collection procedures.
16. An employee who fails to report to the collection site, fails to provide a specimen at the collection site, tampers with/ adulterates/substitutes a urine sample, or refuses to supply necessary signatures for certification will be treated as if he/she had received a positive test result.
17. Test results from the contracting laboratory shall be sent directly to the Medical Review Officer's (MRO) Office (contracted by DHRM).
 - a. Negative test results will be communicated from the MRO to the Department's Drug Program Coordinator.
 - b. For positive test results, the MRO determines if the positive result is actually evidence of illegal drug use. The MRO contacts the employee requesting that he/she disclose prescribed and over-the-counter medications that have recently been taken. The MRO shall evaluate alternative explanations of a positive test result. If the MRO is unable to independently contact the employee, the Drug Program Coordinator will be contacted, who will then facilitate contact between the employee and the MRO. The MRO shall review all medical records made available by the employee to distinguish if the positive result might be linked to legally prescribed medications in the employee's name. Prescribed medications not in the employee's name will be considered illegal drugs. After verification of a positive test result by the MRO, the Department's Drug Program Coordinator will be notified. The Drug Program Coordinator will then notify the Department's EAP Coordinator and the management official having authority to initiate appropriate personnel actions.
 - (1) The Management official shall inform the employee that the Department is aware of the positive test result. The employee will be removed from safety sensitive duties and appropriate disciplinary action will be taken, with termination from state employment being the most probable outcome. The employee may request that his/her sample be tested by another certified drug testing facility. The employee will reimburse the Department for that expense.

- (2) Applicants testing positive will not be hired.
- (3) All employees who test positive are subject to termination. Probationary and temporary employees who test positive are subject to immediate termination. Non probationary employees who test positive are subject to immediate suspension of their duties with pay or reassignment of duties, pending the initiation and resolution of termination proceedings consistent with DHRM and Department personnel policies.
- (4) If the results from the MRO indicate that the sample was a negative diluted, the employee will be retested as soon as possible. A diluted sample excludes those that are adulterated, substituted or tampered which will lead to termination. A positive dilute will be reported as positive and no retest will take place.

ALCOHOL TESTING

- 18. For all alcohol tests, when an initial result indicates a breath alcohol concentration of .02 or greater, a confirmation test shall be conducted once a minimum 15 minute time period has expired. The confirmation test results determine any action to be taken.
- 19. **EMPLOYEES IN SAFETY SENSITIVE POSITIONS:** For test results indicating a breath alcohol concentration between .02 and .039, the employee shall be removed from safety-sensitive duties for at least 24 hours. During the 24-hour period the employee shall not be placed in a work area where he/she may injure him/herself or the public. The employee may be subject to corrective/disciplinary action in accordance with state statute and DHRM rules.
- 20. **EMPLOYEES IN SAFETY SENSITIVE POSITIONS:** For test results indicating a breath alcohol concentration of .04 or higher, the employee shall be subject to disciplinary action, with termination from state employment being the most probable outcome.
- 21. **ALL OTHER UDOT EMPLOYEES:** For test results indicating a breath alcohol concentration of .08 or higher, the employee shall be subject to disciplinary action, with termination from state employment being the most probable outcome.
- 22. A person whose breath alcohol concentration falls below these defined cut off levels may be subject to disciplinary/corrective action where impairment is observably evident and factors such as the following exist: a) the person was driving a State vehicle; b) the person has not been performing job functions satisfactorily; c) the person has engaged in inappropriate and/or unacceptable work behavior.

PROHIBITED ACTIVITIES

23. The following activities are prohibited for UDOT employees and will result in disciplinary action, with termination from state employment being the most probable outcome.
- a) Having a positive drug and/or alcohol test.
 - b) Reporting for duty or remaining on duty while having illegal drugs and/or alcohol in their system as determined by drug and/or alcohol testing.
 - c) Being on duty while possessing illegal drugs.
 - d) Using illegal drugs and/or alcohol while performing job duties.
 - e) Performing safety-sensitive functions or driving state vehicles, or any vehicle for state business within four hours after consuming alcohol.
 - f) When required to take a post-accident alcohol test, using alcohol within eight hours following the accident or prior to undergoing a post-accident alcohol test, whichever comes first.

DISCIPLINARY ACTION

24. Because the use of illegal drugs or abuse of alcohol has a detrimental effect on the mission of the Department, employees that have a positive drug/alcohol test result are subject to disciplinary action which will typically result in termination from state employment. UDOT employees are prohibited from unlawfully manufacturing, dispensing, possessing, using, selling or distributing any controlled substances or alcohol whether during working hours or nonworking hours on state property at any time, including state owned or controlled property (vehicles or real property) and wherever state work is being performed, those engaged in such activity are subject to similar disciplinary action.
25. Actions Based on Verified Positive Findings:
- a) Upon notification of a verified positive finding or first determination of illegal drugs being used and/or alcohol being misused, the leader shall assign the identified employee to duties that are not "safety sensitive", if such duties are available, pending further action or the employee shall be suspended with pay pending the initiation and resolution of termination proceedings. Employees shall not be permitted to drive a state vehicle or any vehicle for state business.

- b) The employee will be advised of resources available to him/her in evaluating and resolving problems associated with drug/alcohol abuse. He/she shall be referred to a substance abuse professional who can determine what assistance, if any, the employee needs in resolving problems associated with controlled substance use and/or alcohol misuse.
 - c) The management official shall initiate appropriate disciplinary action against the employee consistent with state statute and DHRM rules. As a general practice, the Department shall pursue a course of action directed at terminating the employee from state employment.
 - d) If termination is not imposed following an initial positive test result, upon receipt of a second verified positive test or a second determination that an employee uses illegal drugs and/or misuses alcohol, termination of that employee from state employment is mandatory.
26. If termination is not imposed, the employee shall be subject to the following stipulations as conditions for further employment.
- a) Employee shall be evaluated by a Substance Abuse Professional who shall determine what assistance, if any, the employee needs in resolving problems associated with drug/alcohol misuse. This will be at the employee's expense.
 - b) Before returning to duty, the employee must undergo return-to-duty tests with the result from any alcohol test indicating a breath alcohol level of less than .02 and the results from any drug testing being negative.
 - c) In addition, each employee identified as needing assistance with substance abuse problems shall, at his/her own expense, satisfactorily complete any rehabilitation recommended by a Substance Abuse Professional. The employee will not be allowed to return to duty unless the Department has received written notification from a Substance Abuse Professional that he/she has satisfactorily completed the rehabilitation and/or the employee can return to work while participating in rehabilitation.
 - d) The employee shall be subject to at least six unannounced follow-up tests within the following 12 months. The employee shall be subject to a minimum of three follow-up tests during the second year.

27. This policy is applicable for rehired employees who were terminated or resigned because of a positive drug and/or alcohol test. Employees will not be rehired for one year after last day paid if termination/resignation is due to positive drug and/or alcohol test. Employees must have written documentation from a Substance Abuse Professional that he/she has satisfactorily completed the recommended course of action.

RECORDS

28. All testing information specifically related to individuals is confidential. In order to make information readily retrievable the Drug Program Coordinator shall maintain all records related to testing.
29. All records and information of personnel actions taken against employees with verified positive test results should be forwarded to the Human Resource Office. Such information shall remain confidential with only authorized individuals who have a "need-to-know" having access to them.

Background

This policy and procedure is in compliance with the Drug-Free Workplace Act of 1988, Federal Motor Carrier Regulations, federal and state laws and the Department of Human Resource Management Rules.

Definitions

EAP Coordinator - Employee Assistance Program Coordinator can be contacted in the Department's Human Resource Office at 965-4051.

EAP Provider - Blomquist Hale Consulting Group, Inc. the Department's EAP provider, can be contacted by calling I-800-926-9619.

Drug Program Coordinator - Can be contacted in the Department's Human Resource Office at 965-4249.

Substance Abuse Professional (SAP) - a licensed physician (Medical Doctor or Doctor of Osteopathy), or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substance-related disorders.

DHRM - Department of Human Resource Management

Pre-Employment/Pre-appointment Testing - Selected applicant for safety sensitive positions shall be tested prior to employment/appointment. This includes current employees in non-covered positions who are selected for covered positions and all external selected applicants for covered positions. Each offer of employment shall be conditioned upon the successful completion of a test for illegal drugs. Any applicant/probationary employee who tests positive in the pre-employment drug test shall be rejected and shall be ineligible for hire for at least 12 months, including seasonal employment. There must be a verified negative results before any safety sensitive duties can be performed.

Random Testing - Periodic, unannounced testing of employees in safety sensitive positions. Random Testing is a system of drug and alcohol testing imposed without individualized suspicion that a particular individual is using drugs illegally and/or alcohol misuse as defined in this policy. Persons serving in "safety sensitive" positions as defined in this policy are subject to random testing after hire. Employees who are not classified in a safety sensitive title, but do hold a CDL and may be called upon at any time to drive shall be subject to Random Testing for drugs. Managers must submit the names of employees with CDL's that are not in safety sensitive titles to the Drug Program Coordinator before any safety sensitive functions are performed so random testing for drugs can take place.

Reasonable Suspicion Testing - Testing because of a reasonable suspicion that is based on information that raises the suspicion of illegal drug and/or alcohol misuse which affects the workplace.

Post-Accident Drug & Alcohol Testing - Testing for the presence of drugs or alcohol in an employee who is involved in an accident with UDOT's vehicle and/or equipment or other accidents that meet the post accident criteria.

Return-to-duty Testing - Testing conducted prior to returning an individual who has tested positive for drugs and/or alcohol to his/her position including safety sensitive duties.

Follow-up Testing - Upon an employee's return to his/her position including safety sensitive positions and/or upon satisfactory completion of rehabilitation, an employee will be subject to a minimum of six drug and/or alcohol tests over the next 12 months. The employee shall be subject to a minimum of three follow-up tests during the second year.

Safety Sensitive Positions - Safety sensitive positions are those positions that "directly impact the safety of the general public, or where there is access to controlled substances during the course of performing job duties." All employees that possess a Commercial Drivers License as part of the job requirements fall into this category. The following positions are currently designated as "safety sensitive" by the Department of Human Resource Management and are subject to all testing including random testing:

<u>Official Job Titles</u>	<u>Official Working Titles</u>
Aircraft Maintenance Supervisor	Aircraft Maintenance Supervisor
Aircraft Mechanic	Aircraft Mechanic
Aircraft Pilot	Aircraft Pilot II
Apprentice Electrician*	A. Signal Maintenance Specialist
Director, Division of Aeronautics	Dir, DOT Div. Of Aeronautics
Drilling Supervisor	Drilling Supervisor
Electronic Technical Specialist II*	Electronic Technical Specialist II
Electronic Technical Specialist III*	Electronic Technical Specialist III
	UDOT Electronic Tech. Specialist
Equipment Operator CDL	Transportation Tech. I
	Equipment Operator
	Highway Operations Spec. II
General Maintenance Worker I*	Transportation Aide
Inspector II*	UDOT Bridge Inspector II
Inspector III*	Bridge Inspector III UDOT
Journey Auto Worker*	Journey Mechanic
Journey Driller	J. Driller
Journey Electrician*	J. Signal Maintenance Specialist
Lead Auto Worker	Lead Mechanic
Lead Welder CDL	Lead Welder
Maintenance Training Specialist I	UDOT Maint. Training Specialist I
Maintenance Training Specialist II	UDOT Maint. Training Specialist II
Roadway Operations Coordinator	Lead Highway Operations Spec.
	Incident Mgt. Program Coord.
	Lead Avalanche Forecaster

Roadway Operations Safety Manager*	Canyon Snow Safety Manager
	Maintenance Area Supervisor, UDOT
Roadway Operations Specialist CDL	Lead Incident Management Specialist
	Transportation Tech. II
	Avalanche Forecaster
	Highway Operations Specialist III
Roadway Operations Supervisor	Highway Operations Supervisor
	Station Supervisor
Shop Manager*	Shop Manager
Shop Supervisor CDL	Shop Supervisor
Trainer II*	Maintenance Safety Trainer
Trainer III*	Maintenance Operations Trainer Coord.

All positions within the Department will be reviewed on a regular basis to see if they fit the criteria necessary to be included in the random drug testing pool.

* Names of employees in these positions must be submitted to the Drug Program Coordinator before they will be randomly tested for drugs.

Procedures

Drug and Alcohol Testing

UDOT 05C-60.1

PRIOR EMPLOYMENT VERIFICATION FOR SAFETY SENSITIVE POSITIONS

Responsibility: Hiring Official /Designee

Actions

1. Obtains a release of information from the candidate prior to the request for information. This information should be obtained and reviewed to insure that the Department is in compliance with FHWA regulations.
2. Obtains and reviews the following information from any employer for whom the candidate has performed safety sensitive functions in the previous two years:
 - a) Information on the driver's alcohol test in which a breath alcohol concentration of .04 or greater was indicated.
 - b) Information on the driver's controlled substance tests in which a positive result was indicated. If there is a positive drug test reported by a previous employer within the last year prior to employment with UDOT the probationary employee will be terminated. (See #27 of policy.)
 - c) Any refusal to submit to a required alcohol or controlled substance test.

RANDOM TESTING:

Responsibility: Collection agency contracted by DHRM

3. Produces a list of individuals within a class to be selected for random drug and alcohol testing. A representative from the collection agency will conduct all tests according to federal guidelines.
4. Notifies the selected employee's first level leader prior to the actual collection. All scheduling shall be arranged in close coordination with the collector. In situations where the first-level leader is unavailable, the management official at the next level shall be contacted.

Responsibility: Employee's Leader

5. Shortly (typically the same day) before the actual collection, the leader shall inform the employee privately that he/she has been identified through a random selection process for drug/alcohol testing.
6. The leader shall immediately report to the Department's Drug Program Coordinator or designee any problems encountered during employee notification. (A designated staff member from the Human Resource Office will serve as the Drug Program Coordinator.)

Responsibility: Collection Agent

7. When an employee selected for random testing is unavailable for legitimate reasons the Collection Agent may proceed with a randomly selected alternate or the agent may return to conduct the random drug/alcohol test later in that month.

REASONABLE SUSPICION TESTING: Reasonable suspicion testing is authorized when management has cause to suspect that any employee is using illegal drugs and/or misusing alcohol. The Drug Program Coordinator, Human Resource Director, or their designee must be consulted before implementing reasonable suspicion testing procedures. Some factors to be considered in requesting a reasonable suspicion test: inconsistent work quality; poor concentration; lower productivity; increased absenteeism; unexplained disappearances from the job site; careless mistakes; errors in judgement; needless risk-taking; disregard for safety; job-related accidents, extended lunch periods, early departures, etc. Management should document the event and any difficulties encountered.

ALCOHOL: Reasonable suspicion alcohol testing must take place within two hours. The mere possession of alcohol does not constitute a need for reasonable suspicion testing, which must be based on observations concerning the employee's job performance, appearance, behavior, speech, and/or body odor. Where reasonable suspicion exists, the employee in question will not be allowed to drive a State vehicle or a personal vehicle on state business, or perform safety-sensitive functions until an alcohol test is administered and the alcohol concentration measures less than .02, or 24 hours have elapsed following the determination that reasonable suspicion of alcohol use exists.

ILLEGAL DRUGS: Reasonable suspicion testing, which should be based on observations concerning the employee's job performance, appearance, behavior, speech, and/or body odor. Where reasonable suspicion exists, the employee in question will not be allowed to drive a State vehicle or a personal vehicle on state business, or perform safety-sensitive functions until the results of the drug testing are confirmed.

Responsibility: UDOT Management

8. Consults with the Department's Human Resource Office, to determine if reasonable suspicion exists. If a reasonable suspicion exists and if the employee is in a safety sensitive position, the employee shall be reassigned to non-safety sensitive duties pending the results from the drug test, or placed on paid administrative leave.
9. Documentation shall be developed describing the circumstances which formed the basis that reasonable suspicion exists to authorize such testing. This documentation shall be retained in a secure confidential file maintained by the Drug Program Coordinator. If disciplinary action is taken as a result of a positive test, discipline will be documented as part of the employee's personnel record according to Human Resource Rules.

Responsibility: Drug Program Coordinator, EAP Coordinator and/or HR Director

10. Notifies the drug collection agency immediately when the determination has been made to conduct reasonable suspicion testing.
11. Notifies the employee's leader or, in his/her absence, an upper-level management official that collection procedures have been initiated.

Responsibility: Leader or Management Official

12. Shall provide the employee with written notice that he/she is being tested because of a reasonable suspicion. The written notice may include:
 - a) A statement describing relevant circumstances that form the basis for the decision to conduct reasonable suspicion drug/alcohol testing;
 - b) Assurance that the testing procedures follow federal guidelines;
 - c) Drug testing only: Notice of the opportunity for submitting supplemental medical documentation to the Medical Review Officer if, and only if, the test results are positive;
 - d) The consequences of a confirmed positive result or refusal to be tested;
13. Shall immediately report to the Drug Program Coordinator any problems encountered during employee notification that would prevent testing.

PRE-EMPLOYMENT AND PRE-APPOINTMENT TESTING (Drugs Only)

All employees assigned to "safety sensitive" duties (see definitions), must be tested prior to performing any safety sensitive duty's regardless of the duration of the position. This includes those on the "snow plan." The individual occupying the position shall be subject to all other types of drug/alcohol testing, including random testing.

Responsibility: Regional Designee or Drug Program Coordinator

14. Shall notify the drug collection agency and provide the proper information concerning the employee being tested. The drug test should be the last action taken before filling the position with the selected applicant. The applicant cannot perform safety sensitive duties until the results of the drug test are received by the Drug Program Coordinator, and the results are negative. If the results are positive, the probationary/temporary employee will be terminated. If the test is a pre-appointment and is positive the most likely outcome for the employee would be termination.

POST-ACCIDENT TESTING Drug/alcohol tests for employees who are operating or driving state vehicle/equipment and meet the post-accident criteria shall be tested according to standardized testing procedures. Testing for the presence of drugs and/or alcohol shall be conducted following a vehicle/equipment accident or on the job injury that involves or results in:

- a. A fatality,
- b. An employee receiving a citation under State or local law for a moving traffic violation arising from the accident or if the accident could have been preventable as determined by the responding law enforcement officer, or if the responding law enforcement officer does not know who will receive citations, alcohol and drug tests will be performed on the UDOT employee both as a precautionary measure and as a pro-active means to protect the employee.
- c. Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident beyond first aid.
- d. One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

Disabling damage does NOT mean: damage which can be remedied temporarily at the scene without special tools or parts; tire disablement with or without other damage even if no spare tire is available; headlight or tail light damage or damage to turn signals, horn or windshield wipers which may make them inoperative. Disabling damage does not include damage from an accident resulting from getting in to or out of a stationary motor vehicle or an accident involving only the loading or unloading of cargo.

or

- e. Any circumstances which meet the "reasonable suspicion" criteria outlined in this procedure.
- f. For **illegal drugs**, testing should be conducted as soon as possible. If a drug test has not been administered within 32 hours following the incident, attempts to conduct a test shall cease, and written documentation shall be prepared by management and/or Region/District Safety/Risk Manager stating the reason(s) why the test was not promptly administered.
- g. For **alcohol**, testing should take place within two hours of the accident. In cases where circumstances prevent the testing of a driver within this time frame, written documentation shall be prepared by management and/or the Region/District Safety/Risk Manager stating the reason(s) why the test was not promptly administered. If an alcohol test has not been administered within eight hours following the incident, attempts to conduct a test shall cease.
- h. For **alcohol**, persons subject to post-accident testing must remain available and refrain from consuming alcohol for eight hours following the accident, or until he/she submits to an alcohol test, whichever comes first.
- i. For **alcohol** the Department and DHRM recognize post-accident tests conducted by Federal, State, and local officials as meeting the requirements of this rule under the following conditions:
 - (1) The official must have independent authority to conduct the test;
 - (2) Tests must conform to Federal, State, or local requirements;
 - (3) Tests must require a blood or breath sample.

Responsibility: Employee involved in the accident and Supervisor

- 15. Contact the appropriate region/group personnel to report the accident which would include UDOT Management, the Region/District Safety/Risk Manager or for employees in Operations and/or at the Complex the Workers Compensation/Liability Claims Manager in UDOT's Risk Management Office.

Responsibility: UDOT Management including Area Supervisors, Project Engineers and/or Region/District Safety/Risk Manager

When determining those subject to testing, the following steps should be followed:

16. Shall determine whether the accident is a covered event under Post-Accident Testing. This determination shall be based on review of all available facts and should be determined as soon as possible based on these guidelines (see a - e under post accident testing)
17. Following a determination that the accident qualified as a covered event, management shall take all practical steps to identify any additional employees whose work performance or behavior may have been a contributing factor to the accident.
18. If post accident testing is carried out and if the employee is in a safety sensitive position, the employee shall be reassigned to non-safety sensitive duties pending the results from the drug test, or placed on paid administrative leave.

Responsibility: Administrative Coordinator, Area Supervisors, Project Engineers, Drug Program Coordinator, EAP Coordinator, HR Director, Region/District Safety/Risk Manager and/or other UDOT Management

19. Shall notify the drug collection agency and provide the proper information concerning the employee who is subject to testing.
20. Will contact the immediate leader with the necessary information, who will then notify the employee of the time, place, and requirements of the post-accident drug test.
21. Notifies the Drug Program Coordinator or designee in UDOT's Human Resource Office with the necessary information.

RETURN-TO-DUTY TESTING Employees returning to work, including safety sensitive positions, after having met agreed upon stipulations between themselves and UDOT management, must undergo a return-to-duty drug/alcohol tests with a verified negative result prior to returning to work, including safety sensitive duties.

Responsibility: Drug Program Coordinator

22. Will contact the Collection Agent to conduct the return-to-duty testing.

FOLLOW-UP TESTING All employees referred through administrative channels who undergo counseling or enter a rehabilitation program for using illegal drugs or misusing alcohol will be subject to unannounced testing for one year following successful completion of such a program. Employees who have violated this procedure and/or Department Policy regarding illegal drugs and/or alcohol misuse, whose employment is not terminated, shall be subject to unannounced follow-up testing. The employee shall be subject to a minimum of six follow-up tests in the ensuing 12 month period. The employee shall be subject to a minimum of three follow-up tests during the second year.

Responsibility: Drug Program Coordinator

23. Will contact the Collection Agent to conduct the return-to-duty/follow-up testing.